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Message Text

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44
ACTION ARA-20

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 AID-20 EB-11 IGA-02 OMB-01 TRSE-00 DRC-01

SAB-01 /132 W
---------- 119890
R 251518Z JUL 74
FM AMEMBASSY PANAMA
TO SECSTATE WASHDC 1282

C O N F I D E N T I A L PANAMA 4258

E.O. 11652: GDS
TAGS: PN EAID PINT
SUBJECT: FAA SECTION 32-POLITICAL PRISONERS

REF: A) STATE 68545
B) PANAMA 2408

SUMMARY. PANAMANIANS WOULD MOST PROBABLY MISINTERPRET OUR MOTIVES INFORMING THEM OF TEXT OF SECTION 32 OF FAA AND BECAUSE OF THIS WE BELIEVE SUCH ACTION WOULD BE COUNTERPRODUCTIVE, POSSIBLY ADVERSELY AFFECTING FAVORABLE CLIMATE PAINSTAKINGLY CREATED FOR CONDUCTING TREATY NEGOTIATIONS. WE HAVE NOT PROVIDED TEXT OF SECTION 32 TO GOP. END SUMMARY.

1. AS REPORTED IN REFTEL THE GOP HAS NOT HAD A PRACTICE OF ARBITRARY IMPRISONMENT OF PERSONS FOR POLITICAL PURPOSES AN

APPLICATION OF SECTION 32 OF THE FAA OF 1973 WOULD NOT AFFECT THE STATUS OF U.S. ASSISTANCE PROGRAMS IN PANAMA. MOREOVER, GOP IS IN THE PROCESS OF DRAFTING ENTIRE NEW LEGAL AND PENAL CODE WHICH WE UNDERSTAND WILL PROVIDE EVEN GREATER GUARANTEES OF INDIVIDUAL RIGHTS THAN EXIST UNDER PRSENT CODE. UNDER THESE CIRCUMSTANCES, IT WOULD APPEAR GRATUITIOUS TO TRANS-MIT TEXT OF SECTION 32 TO GOP.
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2. MORE IMPOTANT, HOWEVER, IS DANGER THAT SUCH ACTION WOULD BE MISINTERPRETED. PANAMANIANS HISTORICALLY HAVE TENDED TO INTERPRET MOST INNOCENT OF U.S. ACTIONS AS HAVING HIDDEN MOTIVES. THEY ARE EXTREMELY SENSITIVE ABOUT THEIR NATIONAL DIGNITY AND FREQUENTLY SEE SIGNS OF U.S. "PATERNALISM" OR "ARROGANCE" WHERE NONE IS INTENDED .

IN CONNECTION WITH CANAL TREATY NEGOTIATIONS, SUCCESS OF WHICH IS OF MAJOR IMPORTANCE FOR U.S., EMBASSY AND U.S. NEGOTIATORS ARE ENGAGED IN EFFORT TO SOOTHE PANAMANIAN FEARS AND SUSPICIONS AND TO CONVINCE THEM WE INTEND, IN FUTURE RELATIONSHIP CONCERNING CANAL, TO TREAT THEM AS MATURE PARTNERS. WE BELIEVE TRANSMITTAL OF TEXT OF SECTION 32 WOULD NOT HELP THIS PROCESS AND COULD HINDER IT.

JORDEN

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NNN

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